

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In Re:	:	
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DAVID D. KEESEE,	:	CHAPTER 13
	:	
	:	CASE NO. 06-01458
	:	
Debtor.	:	JUDGE KEITH M. LUNDIN
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MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC.,	:	
	:	
Movant,	:	
vs.	:	
	:	
DAVID D. KEESEE, Debtor, and HENRY HILDEBRAND, III, Trustee,	:	CONTESTED MATTER
	:	
	:	
	:	
Respondents.	:	

**AMENDED AGREED ORDER RESOLVING
MOTION BY MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. FOR RELIEF
FROM AUTOMATIC STAY
AND LEAVE TO PROCEED WITH FORECLOSURE**

This cause came before this Honorable Court on February 5, 2007, upon the Motion by Mortgage Electronic Registration System, Inc., by and through counsel, a secured creditor of the Debtor, for Relief From the Automatic Stay as to the property located at 3393 Endsworth Drive Clarksville, TN 37042. It appears to the Court, as evidenced by the signatures of counsel below, that the parties agree to the entry of this Order on the following terms:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Movant is a secured creditor of the Debtor holding a valid and perfected first security interest evidenced by a recorded Deed of Trust creating a lien in real property used by the Debtor as his principal residence located at 3393 Endsworth Drive Clarksville, TN 37042.

2. The **ongoing mortgage in the amount of \$1,084.71** shall continue to be paid through the Chapter 13 Plan by monthly disbursements by the Chapter 13 Trustee. The ongoing mortgage payment increased from \$821.59 to \$868.47, beginning with the May 2006 payment, and again increased to \$1,084.71, beginning with the September 2006 payment.

3. The Debtor has accrued postpetition arrearages on the continuing mortgage obligation for the months of June 2006 through August 2006 at \$868.47/month and September 2006 through February 2007 at \$1,084.71, in addition to attorney fees and costs in the amount of \$800.00, for a **total postpetition arrearages of \$9,913.67**. Said arrearages shall be cured through the Plan as a Class II secured claim. As a result, the Debtors **plan payment shall increase to \$1964.00 monthly and the plan base shall increase to \$109,324.00**.

4. Failure to make any future payment when due shall constitute an event of default of this Order.

5. In the event of default, Movant shall notify the Debtor, Debtor's counsel and the Chapter 13 Trustee of such default and Debtor shall have ten (10) days from the date of such notice within which to cure the default. If the default is not fully cured within such time, Movant shall be entitled to file with the Court an Order Granting Relief from stay, upon filing of which Movant shall, without further notice of hearing be granted relief from the automatic stay of 11 U.S.C. § 362(a) and permitted to immediately pursue its remedies against the property in accordance with its Deed of Trust and applicable law, with the waiver of F.R.B.P. 4001(a)(3) to allow Movant to execute the order granting relief instant.

IT IS SO ORDERED.

**THIS ORDER WAS SIGNED AND
ENTERED ELECTRONICALLY AS
INDICATED AT THE TOP OF THE FIRST
PAGE.**

/s/ Tisha L. Morris

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